

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 108th Congress ¹**

[Date approved: August 27, 2004]²

Bill No. and sponsor: H.R. 4538 (Mr. Langevin)

Proponent name, location: Clariant Corporation
500 Washington Street
Coventry, RI 02816

Other bills on product (108th Congress only): None.

Nature of bill: Temporary duty suspension through 12/31/2006.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Pigment yellow 180 (CAS No. 77804-81-0) (provided for in subheading 3204.17.60)

Check one: ☐ Same as that in bill as introduced
☒ Different from that in bill as introduced (explain differences in Technical
comments section)

Product information, including uses/applications and source(s) of imports:

This synthetic organic pigment is used in coloring plastics. It has high heat stability, good light fastness, and a low tendency to warping. The FDA has approved it for use in food contact packaging. It is imported from Germany.

¹ Industry analyst preparing report: Stephen Wanser (202-205- 3363); Tariff Affairs contact: Dave Beck (202-205-2603).

² Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission's Law Library (202-205-3287) or at the Commission's Main Library (202-205-2630).

Estimated effect on customs revenue:

HTS subheading: 3204.17.60.85					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) 1/	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000
Customs revenue loss	\$325,000	\$325,000	\$325,000	\$325,000	\$325,000

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Clariant Corp., Mr. Andy Zamoyski, (401) 823-2230	06/20/04	No	No	No
Allegheny Color Corp., Mr. Jon Gallisdorfer, (815) 741-2588	06/20/04	No	No	No
Apollo Color, Inc., Mr. Tom Rogers, (815) 722-3965	06/20/04	No	No	No
BASF Corp., Mr. Phil Webb, (704) 398-2588	06/20/04	No	No	No
CDR Pigments & Dispersions, Rucker Wickline, (270) 737-1700	06/20/04	No	No	No
Ciba Specialty Chemical Corp., Mr. John Deming	06/20/04	No	No	No
Diacolor-Pope, Mr. Bob Turkos, (973) 279-2702	06/20/04	No	No	No

Fanwood Chemical Co., Mr Jim DeLisi, (908) 322-8440	06/20/04	No	No	No
Galaxie Chemical Corp., Mr. Richard Caldwell, (973) 279-0558	06/20/04	No	No	No
Magruder Color Co., Inc., Mr. Joel Weissglass, (973) 241-1300	06/20/04	No	No	No
Mason Color Works, Inc. Ms. Carol Mason Cronin, (330) 385-4400	06/20/04	No	No	No
Max Marx Color Corp., Mr. Walter Sichel, (973) 373-7801	06/20/04	No	No	No
PMC Inc., Mr. Gordon McCullough	06/20/04	No	No	No
Sun Chemical Corp., Mr. Ed Faulkner, (513) 681-5950	06/20/04	No	No	No

Technical comments:³

The word “Yellow” in the proposed article description should not be capitalized.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

108TH CONGRESS
2D SESSION

H. R. 4538

To suspend temporarily the duty on Pigment Yellow 180.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2004

Mr. LANGEVIN introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Pigment Yellow 180.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PIGMENT YELLOW 180.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.34.51	Pigment Yellow 180 (CAS No. 77804–81–0) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2006	”.
---	------------	--	------	-----------	-----------	----------------------------	----

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies with respect to goods entered, or

- 1 withdrawn from warehouse for consumption, on or after
- 2 the 15th day after the date of the enactment of this Act.

